

Rule IV.

During the first sixty days of the Regular Session, under the general rules of either House and in the due order of business, either House may take up, consider and dispose of any bill not of the nature named in the foregoing Rule IV by an affirmative vote of four-fifths of the membership voting or in accordance with the rules of the House in which said bill is pending.

Rule V.

It shall be in order for committees to consider bills at any time during the session, their reports and the consideration by either House in accordance with the rules of the House in which said bill is pending.

Rule VI.

When any bill shall have been acted upon finally by either branch of the Legislature, and shall have been transmitted to the other, said bill shall be, without the necessity of suspending the rule by a vote thereon, referred by the presiding officer thereof to an appropriate committee for consideration.

Rule VII.

For and during the term of the Forty-third Legislature only, it shall be mandatory upon the Finance Committee of the Senate and the Appropriations Committee of the House and the presiding officer of each of said respective bodies to report out to each of said two Houses all general appropriation bills for the biennium ending August 31, 1935, on or before March 25, 1933; and the consideration of such bills shall be the first order of business in each House until finally acted upon.

Rule VIII.

In the event of disagreement between the two houses relative to a bill or resolution and a conference committee is appointed and such committee arrives at an adjustment of the differences between the two Houses, such committee shall, within thirty-six hours, make a report to their respective Houses of their adjusted bill or resolution, unless such committee shall be granted a further specified time by an affirmative vote of such Houses.

FOURTEENTH DAY.

Senate Chamber,
Austin, Texas,
February 2, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawling.
Fellbaum.	Regan.
Greer.	Russek.
Holbrook.	Sanderford.
Hopkins.	Small.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Oneal.

Redditt.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Parr:

S. B. No. 155, A bill to be entitled "An Act to amend Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1931, 42nd Legislature, page 755, Chapter 299, and as further amended by Acts of 1931, 42nd Legislature, page 852, Chapter 360, Section 1, so as to exempt said counties from the provisions of said Chapter 7, Title 121, and abolishing the office of Inspector of Hides and Animals in any and all of the said counties so exempted and declaring an emergency."

Read and referred to Committee on Stock and Stock Raising.

By Senator Woodul:

S. B. No. 156, A bill to be entitled "An Act amending Articles 610 and

611 of the Penal Code of the State of Texas as codified in 1925, and adding thereto Article 611a, providing that the pugilistic encounters prohibited in Articles 610 and 611 shall not apply to boxing contests which may be held under the auspices of colleges, clubs, voluntary associations and organizations which are not organized for profit or pecuniary gain, where the participants in such contests do not receive any cash remuneration for participating therein; and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Fellbaum:

S. B. No. 157, A bill to be entitled "An Act to amend Article 2124 of the Revised Civil Statutes of 1925 providing that no jury trial shall be had in any civil suit unless an application therefor be made in open court and a jury fee of forty dollars, if in the district court, and twenty dollars, if in the county court, be deposited by the applicant with the clerk to the use of the county; and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senators Beck, Moore, Hornsby, Holbrook, Sanderford, Murphy, Collie, Regan, Purl and Woodruff:

S. B. No. 158, A bill to be entitled "An Act to reduce the amount appropriated by the Regular Session of the 42nd Legislature in 1931, for the payment of salaries of officers and employees of this State other than such salaries the amount of which is fixed by the Constitution, and more than 1,800 dollars per year; prohibiting the Comptroller from paying in excess of the amount fixed herein, and declaring an emergency."

Read and referred to Committee on Finance.

Senator Excused.

On motion of Senator Patton, Senator Redditt was excused for the day on account of important business.

Motion to Print Memorial.

Senator Purl moved to print a certain memorial in the Journal. The motion was lost.

Senator Blackert Appointed Vice-Chairman of Insurance Committee.

The Chair announced the appointment of Senator Blackert as Vice-Chairman of the Committee on Insurance to succeed Senator Purl who has been appointed Chairman of the committee.

Senate Simple Resolution No. 35.

Senator Hornsby sent up the following resolution:

Be it Resolved, That the rules of the Senate, beginning with Rule 1, page 441 to and including Rule 95, page 489 of the Texas Legislative Manual, same being the rules adopted by the 42nd Legislature, be and the same are hereby adopted by the 43rd Legislature and shall constitute the rules of the Senate for the 43rd Legislature, the same as if re-written herein with the following additional special rules in addition thereto as follows, to-wit:

Whereas, At the general election on November 4, 1930, Section 5, of Article III of the Constitution of Texas, was amended so as to hereafter read as follows, to-wit:

"The Legislature shall meet every two years at such time as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first thirty days thereof shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of the recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, that during the succeeding 30 days of the Regular Session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending, and such emergency matters as may be submitted by the Governor; provided further, that during the following 60 days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either house may otherwise determine its order of business by an affirmative vote of four-fifths of its membership."

Whereas, Under said amendment it is specifically provided that either house may determine its order of business by an affirmative vote of four-fifths of its membership; therefore, be it

Resolved by the Senate by an affirmative vote of four-fifths of its membership, the House of Representatives concurring by an affirmative vote of four-fifths of its membership, That the order of business is hereby determined to be governed by the general rules of the respective houses, except in so far as they do not conflict with the following special rules, which are hereby adopted.

Rule I.

It shall be in order to introduce bills or resolutions during the first 60 days of the session and have the same referred to a proper committee.

Rule II.

After the first 60 days of the Regular Session no bills shall be introduced except local bills as herein-after defined, emergency appropriations, acting upon appointees of the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature, unless otherwise directed by an affirmative vote of four-fifths of the membership of the house in which the bill is first introduced.

Rule III.

Local bills may be introduced at any time and considered at any time by the committee to which they have been referred and reported by said committee and considered and disposed of by the House in which said bill is pending in the due order of business as determined by the general rules of the house in which the bill is pending. A local bill is defined for the purposes of this rule as an act the provisions of which relate to or affect directly a defined locality, district or section of the State but which does not affect directly the State at large, and the operation of which is confined to a particular locality, district or section of the State.

Rule IV.

Local bills, emergency appropriations, acting upon the appointees of

the Governor (whether recess appointments or otherwise) and all emergency matters submitted by the Governor in special messages to the Legislature may be considered and disposed of at any time by either house under the general rules and order of business.

Rule V.

During the first 60 days of the Regular Session, under the general rules of either house and in the due order of business, either house may take up, consider and dispose of any bill not of the nature named in the foregoing Rule IV by an affirmative vote of four-fifths of the membership, or in accordance with the rules of the house in which said bill is pending.

Rule VI.

It shall be in order for committees to consider bills at any time during the session, their reports and the consideration by the Senate to be had in accordance with the rules of the Senate.

When any bill shall have been finally acted upon by either branch of the Legislature, and shall have been transmitted to the other, said bill shall be, without the necessity of suspending the rules by a vote thereon, referred by the presiding officer thereof to an appropriate committee for consideration.

Rule VII.

In reckoning the time within which a bill has been introduced, the date of its first introduction in either house shall govern.

Rule VIII.

That under "Order of Business," Subsection 4 of Section 11, page 447 of the Texas Legislative Manual, the introduction of bills shall precede the introduction of resolutions.

Rule IX.

Thirty minutes shall be allowed for the discussion of a simple resolution and no member shall be permitted to speak more than 10 minutes in support of or against the same unless the time be extended by an affirmative vote of two-thirds

of the membership present or by unanimous consent.

HORNSBY.
WOODWARD.
HOPKINS.

The resolution was read.

Senator Woodward sent up the following amendment:

Amend the resolution by striking out the words and figures 60 where they appear and insert the words and figures 52 in lieu thereof.

WOODWARD.

Read and adopted.

Senator Rawlings sent up the following amendment:

Rule 15. No member shall speak more than once in any one debate until every member desiring to do so shall have spoken; nor shall any member speak more than twice in any one debate without leave of the Senate. No member shall be permitted to speak on any subject other than joint resolutions and bills being considered on the question of engrossment or final passage, for a period of time in excess of 10 minutes for any one member; and when any member has spoken for such period, it shall be the duty of the Chair to call him to order immediately.

RAWLINGS.
SMALL.

The amendment was read.

Senator Moore sent up the following amendment to the amendment:

Amend Rawlings-Small amendment by adding after the word joint the following: "and concurrent."

MOORE.

Read and lost by the following vote:

Yeas—7.

DeBerry,	Purl.
Greer.	Woodruff.
Moore.	Woodul.
Poage.	

Nays—15.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
Fellbaum.	Rawlings.
Holbrook.	Regan.
Hornsby.	Sanderford.
Murphy.	Woodward.
Neal.	

Absent.

Beck.	Russek.
Hopkins.	Stone.
Martin.	

Absent—Excused.

Oneal.	Redditt.
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(Pair Recorded.)

Senator Duggan (present) who would vote yea, with Senator Small (absent) who would vote nay.

Senator Purl asked unanimous consent to add to the amendment the words "except resolutions seeking to amend the rules."

Objection was heard.

Senator Moore sent up the following amendment to the amendment:

Amend Rawlings-Small Amendment by adding after the word "joint" the following: "and concurrent resolutions appropriating money and fixing policies."

MOORE.

The amendment to the amendment was read.

Senator Woodward sent up the following substitute for the amendment to the amendment:

Amend the amendment by adding after the word "joint" the following: "and concurrent resolutions appropriating public funds."

WOODWARD.

The substitute was read.

Senator Purl moved to table the substitute. The motion was lost by the following vote:

Yeas—8.

DeBerry,	Poage.
Holbrook.	Purl.
Moore.	Woodruff.
Murphy.	Woodul.

Nays—15.

Collie.	Patton.
Cousins.	Rawlings.
Duggan.	Regan.
Fellbaum.	Russek.
Greer.	Sanderford.
Hornsby.	Stone.
Pace.	Woodward.
Parr.	

Absent.

Beck.	Martin.
Blackert.	Neal.
Hopkins.	Small.

Absent—Excused.

Oneal. Redditt.

The substitute was adopted by the following vote:

Yeas—17.

Beck.	Parr.
Collie.	Patton.
Cousins.	Rawlings.
Duggan.	Regan.
Fellbaum.	Russek.
Greer.	Sanderford.
Holbrook.	Stone.
Hornsby.	Woodward.
Pace.	

Nays—6.

DeBerry.	Poage.
Moore.	Purl.
Murphy.	Woodul.

Absent.

Blackert.	Martin.
Hopkins.	Neal.

Absent—Excused.

Oneal. Redditt.

(Pair Recorded.)

Senator Woodruff (present) who would vote nay, with Senator Small (absent) who would vote yea.

The amendment to the amendment as substituted was adopted.

The amendment (Rawlings) as amended was adopted.

Senator Purl sent up the following amendment:

Amend Rule No. 37 to hereafter read as follows:

"All resolutions, except courtesy resolutions, shall upon their introduction be referred to an appropriate committee and shall not be acted upon at the time of introduction unless by a two-thirds vote of the members present the Senate shall so direct."

PURL.

Read and adopted.

Senator Purl sent up the following amendment:

That no pair be recorded unless and until the absent Senator has filed in writing with the Secretary of the Senate his desire to be paired.

PURL.

Read and lost.

The resolution as amended was adopted by the following vote:

Yeas 25.

Beck.	Neal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Woodul.
Moore.	Woodward.
Murphy.	

Nays—1.

DeBerry.

Absent—Excused.

Oneal. Stone.
Redditt.

(Pair Recorded.)

Senator Woodruff (present) who would vote nay, with Senator Small (absent) who would vote yea.

Executive Session Set.

By unanimous consent, the Senate voted to go into Executive Session tomorrow morning at 11:30 o'clock.

Senate Bill No. 155.

By unanimous consent, the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bill:

By Senator Parr:

S. B. No. 155, A bill to be entitled "An Act to amend Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1931, 42nd Legislature, page 755, Chapter 299, and as further amended by Acts of 1931, 42nd Legislature, page 852, Chapter 360, Section 1, so as to exempt said counties from the provisions of said Chapter 7, Title 121, and abolishing the office of Inspector of Hides and Animals in any and all of said counties so exempted and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 155 was put on its second reading by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry,	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.

Absent—Excused.

Oneal.	Small.
Redditt.	

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 155 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry,	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.

Absent—Excused.

Oneal.	Small.
Redditt.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Cousins.
Blackert.	DeBerry.
Collie.	Duggan.

6—Jour.

Fellbaum.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Rawling.
Hornsby.	Regan.
Martin.	Russek.
Moore.	Sanderford.
Murphy.	Stone.
Neal.	Woodruff.
Pace.	Woodul.
Parr.	Woodward.

Absent—Excused.

Oneal.	Small.
Redditt.	

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 2, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Concurrent Resolution No. 9 by a vote of 105 yeas and 6 nays, and requests the appointment of a conference committee to adjust the differences between the two houses. The following are appointed on the part of the House: Pope, Jones of Atascosa, Morse, Moffett, McGregor.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Conference Committee Appointed.

The Chair announced the appointment of the following Free Conference Committee on H. C. R. No. 9: Senators Hornsby, Woodward, Purl, Pace, Murphy.

S. C. R. No. 11.

Senator Neal sent up the following resolution:

Whereas, Dr. William Trufant Foster, Director of the Pollak Foundation of Economic Research, will be in Austin on March 3, and

Whereas, Dr. Foster is an economist of national reputation, who has a plan to prevent future depressions, which plan does not upset the present social and economic organizations, and

Whereas, Dr. Foster holds many degrees from leading colleges of the East and West, and has occupied many high positions in the colleges and universities of the East; is a

writer and a speaker of national renown, and his economic address would be very interesting and helpful to the lawmakers at this time, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That Dr. Foster be invited to address a joint session of the House and Senate in the House of Representatives at 11 o'clock on March 3, 1933.

NEAL.

Read and adopted.

Adjournment.

Senator Woodul moved to adjourn until 10 o'clock Monday morning.

Senator Purl raised the point of order that a quorum was lacking. The roll call showed 22 present.

Senator Poage raised the point of order that this motion provided an adjournment for more than three days and the Senate could not adjourn more than three consecutive days without the consent of the House.

The Chair, Lieutenant Governor Edgar E. Witt, submitted the point of order to the Senate in connection with the vote to adjourn until Monday.

Senator Purl moved to adjourn until tomorrow morning at 10 o'clock.

The motion to adjourn until Monday was lost by the following vote:

Yeas—3.

Blackert.	Woodul.
Patton.	

Nays—20.

Beck.	Pace.
Collie.	Parr.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawling.
Holbrook.	Regan.
Hornsby.	Russek.
Moore.	Sanderford.
Murphy.	Stone.
Neal.	Woodward.

Absent.

Fellbaum.	Martin.
Greer.	Woodruff.
Hopkins.	

Absent—Excused.

Oneal.	Small.
Redditt.	

The motion to adjourn until tomorrow morning prevailed and at 12:17 o'clock p. m. the Senate adjourned.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, Feb. 1, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 8 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,

Austin, Texas, Feb. 1, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 7 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Feb. 1, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 144 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,

Austin, Texas, Feb. 2, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 155 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 2, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 90,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, Feb. 2, 1933.
Hon. Edgar E. Witt, President of the
Senate.

Sir: We, your Committee on Stock
and Stock Raising, to whom was re-
ferred

S. B. No. 155, A bill to be entitled
"An Act to amend Article 7005,
Chapter 7, Title 121, of the Revised
Civil Statutes of Texas, 1925, as
amended by Acts 1931, 42nd Legis-
lature, page 755, Chapter 299, and
as further amended by Acts of 1931,
42nd Legislature, page 852, Chapter
350, Section 1, so as to exempt said
counties from the provisions of said
Chapter 7, Title 121, and abolishing
the office of Inspector of Hides and
Animals in any and all of said coun-
ties so exempted and declaring an
emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass.

PARR, Chairman.

FIFTEENTH DAY.

Senate Chamber,
Austin, Texas,
February 3, 1933.

The Senate met at 10 o'clock a.
m., pursuant to adjournment, and
was called to order by Lieutenant
Governor Edgar E. Witt.

The roll was called, a quorum be-
ing present, the following Senators
answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Oneal. Woodul.

Prayer by the Chaplain.

Pending the reading of the Jour-
nal of yesterday, the same was dis-
pensd with on motion of Senator
Rawlings.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Parr:

S. B. No. 159, A bill to be entitled
"An Act to apportion the State into
senatorial districts; naming the
counties composing each district;
designating the counties to which
election returns shall be sent in
each district; repealing all laws and
parts of laws in conflict herewith;
and declaring an emergency."

Read and referred to Committee
on Senatorial Districts.

By Senator Hornsby:

S. B. No. 160, A bill to be entitled
"An Act amending Acts 1931, Forty-
second Legislature, Regular Session,
page 744, Chapter 291, Section 1,
so as to change the compensation of
district attorneys from a salary basis
to a fee basis in certain judicial dis-
tricts; and declaring an emergency."

Read and referred to Committee
on Finance.

By Senator Poage:

S. B. No. 161, A bill to be entitled
"An Act amending Article 8309 of
the Revised Civil Statutes of Texas
of 1925, by adding a new section
following Section 2 of such article,
to be numbered Section 2a of such
Article 8309; providing that any em-
ployer permitted to become a sub-
scriber under Title 130 of the Re-
vised Civil Statutes of Texas who
will agree to conform to the rules
of the Industrial Accident Board and
who may be of sufficient financial
ability to render certain the pay-
ment of the damages and compensa-
tion provided for in Part I of said
title, and who does not desire to in-
sure the payment of such damages
and compensation or to indemnify
himself against loss sustained by the
direct payment thereof, may upon a
finding of the existence of such finan-
cial standing by the Board of Insur-
ance Commissioners of the State of
Texas, elect to pay such damages and
compensation direct, and shall be
granted a certificate creating him a
subscriber under said Title 130, pro-
vided each such employer shall first
either deposit with the State Treas-
urer the sum of \$50,000.00 in cash
or in the same nature of securities